



**POLICY AND ADMINISTRATIVE
PROCEDURES**
Manual of Policies and Procedures

Title

OFFENDER WORK ASSIGNMENTS AND PAY SCHEDULES

Legal References (includes but is not limited to)	Related Policies/Procedures (includes but is not limited to)	Other References (includes but is not limited to)
IC 11-8-2-5(A)(8) IC 11-10-6-1 through IC 11-10-6-3 IC 11-10-7-1 through IC 11-10-7-5 IC 11-10-8-1 through IC 11-10-8-6	00-02-201 01-01-101 01-04-101 02-01-110 02-02-102 04-01-104	ACA: ACI: 4-4448, 4-4449, 4-4451, 4-4453, 4-4455, 4-4461, 4-4462

I. PURPOSE:

The purpose of this policy and its administrative procedures is to establish pay schedules and procedures for work assignments for offenders performing work in the facilities, not including PEN Products operations or offenders assigned to a Work Release program.

II. POLICY STATEMENT:

The Department of Correction shall develop and maintain offender assignments and wage schedules that:

- Promote a positive offender work ethic;
- Prepare an offender for release to the community; and,
- Provide a continuum of educational services and work opportunities that assist in the management of a facility and provide a linkage to jobs managed by PEN Products.

The Department shall provide a variety of assignments for offenders to enhance reading, writing, communication, social and life skills, as well as good work habits and positive work attitudes. The Department shall develop a comprehensive offender assignment strategy that establishes as an objective, the opportunity for each offender to participate in educational programs, offender self-improvement programs, facility operations and/or work assignments.

The offender assignment strategy shall encourage offenders to develop skills necessary for meaningful employment through a comprehensive offender case management plan that ultimately prepares the offender for release to the community.

POLICY AND ADMINISTRATIVE PROCEDURES

Indiana Department of Correction

Manual of Policies and Procedures

Number	Effective Date	Page	Total Pages
02-01-106	01-01-07	2	15
Title			
OFFENDER WORK ASSIGNMENT AND PAY SCHEDULES			

Eligible offenders are to receive an assignment that meets the needs of the offender Re-Entry Accountability Plan (RAP), consistent with a variety of factors including, but not limited to, the following:

- A. Public safety and other security concerns;
- B. The individual needs of an offender;
- C. Availability of departmental resources;
- D. Prior work experience and training of an offender;
- E. Eligibility requirements for a specific assignment;
- F. Needs of the Department; and,
- G. Institutional conduct of the offender.

The Department shall develop offender schedules that consist of at least 6.5 hours of organized activities per day, to establish a discipline and ethic that will promote successful community transition.

III. DEFINITIONS:

For the purpose of these administrative procedures, the following definitions are presented:

- A. **ADMISSIONS/ORIENTATION:** A temporary assignment that provides a Department facility the ability to classify an offender, determine an offender's program needs and inform the offender about the facility's rules, procedures and operations.
- B. **ASSIGNMENT:** The placement of an offender by an authorized staff person or committee into an offender self help program, education curriculum, facility operation position or employment with PEN Products.
- C. **ASSIGNMENT AREA:** A program or work location in which an offender may be placed by an authorized staff person or committee.
- D. **ADMINISTRATIVE HOLD:** A temporary assignment made by a facility based upon a safety and security assessment due to an unusual or traumatic circumstance that could adversely affect an offender's behavior or judgment (e.g., news concerning the death of a loved one, notification of a pending criminal charge or internal investigation). An Administrative Hold decision is not to extend longer than seven (7) calendar days.
- E. **ADMINISTRATIVE IDLE:** A classification assignment made by a facility in which an offender is not assigned to a treatment or self-help

POLICY AND ADMINISTRATIVE PROCEDURES

Indiana Department of Correction

Manual of Policies and Procedures

Number	Effective Date	Page	Total Pages
02-01-106	01-01-07	3	15
Title			
OFFENDER WORK ASSIGNMENT AND PAY SCHEDULES			

program, educational program, facility operational position or employment even though the offender may be eligible through no fault of the offender based upon the operational and security needs of a facility.

- F. **CLASSIFICATION:** The systematic subdivision of offenders into groups based on the needs of the offender, the facility, the public and the existing resources from the date of commitment to discharge. Classification includes security, custody and program assignments.
- G. **DISCIPLINARY HEARING HOLD** (formerly Conduct Adjustment Board): A status designated by a Facility Head to temporarily hold or restrict an offender's access to a treatment or self-help program, a facility operational position or employment pending a disciplinary hearing.
- H. **DEATH ROW:** A specialized housing assignment for an offender who is committed to the Department by an Indiana court with a sentence of death.
- I. **HANDICAPPED (DISABLED) OFFENDER:** Any offender encumbered with impairments or disabilities, as confirmed by Health Care Services staff and noted by Classification Services staff, due to physical or mental limitations, including learning disabilities confirmed by the facility's Education Services which may impact the offender's ability to perform certain work or program assignments.
- J. **HOLD PENDING INVESTIGATION:** A status similar to administrative segregation which is a temporary assignment pending the outcome of an investigation as ordered by the Facility Head.
- K. **IDLE:** A classification status in which an offender does not have an assignment in a treatment or offender self-help program, educational program, facility operational position or employment due to the offender's refusal to participate, previous termination from an offender assignment or due to offender's ineligibility for an assignment because of the offender's conduct.
- L. **INFIRMARY/HOSPITAL PATIENT:** A status assigned when an offender is admitted to a facility infirmary.
- M. **JOINT PRIVATE BUSINESS PARTNERSHIP:** A business arrangement approved by the Commissioner that provides employment for adult offenders with a private business on the grounds of a correctional facility, in which the offender is paid a wage comparable for the job, as paid in the community.

POLICY AND ADMINISTRATIVE PROCEDURES

Indiana Department of Correction

Manual of Policies and Procedures

Number	Effective Date	Page	Total Pages
02-01-106	01-01-07	4	15
Title			
OFFENDER WORK ASSIGNMENT AND PAY SCHEDULES			

- N. MEDICAL IDLE: A long-term medical status in which the offender has been ordered by a medical doctor not to work or participate in other facility activities, programs or assignments, except as ordered.
- O. MEDICAL LAY-IN: A temporary status prescribed by a Health Care professional for a brief period of time
- P. OUT TO COURT, OUT TO A COMMUNITY HOSPITAL, OUT TO JAIL, OUT TO TEMPORARY LEAVE AND SICK CALL: These are all assignments that explain why an offender is not working or participating in self-help or treatment programs, education, or facility operational positions.
- Q. SHOP LAY-IN: A status that is used when production at a work assignment is down or when a supervisor or work foreman or educational instructor or self-improvement coordinator is sick or unavailable.
- R. SKILL LEVEL DESIGNATION: The degree of education, work experience or demonstrated knowledge needed by an offender to perform a particular assignment. The skill level designation forms the basis of the assignment and the wage rate. (See ATTACHMENT I)
- S. STATE WAGES: The incentive provided to an offender to participate and successfully perform an assignment or to remain in a job eligible classification until another assignment can be made, not including pay for PEN Products assignments, joint venture assignments or employment in the Work Release Program.

IV. CRITERIA FOR OFFENDER ASSIGNMENT:

Except for offenders condemned to death or committed without the possibility of parole, an offender's Re-Entry Accountability Plan (RAP) is to begin the date the offender is received within the Department. Any offender assignment is to be based upon the following:

- A. Public safety;
- B. Facility security and management;
- C. The identified risk level and needs of an offender as indicated in the intake and admission assessment and contained in the offender's RAP; and,
- D. Availability of departmental resources.

POLICY AND ADMINISTRATIVE PROCEDURES

Indiana Department of Correction

Manual of Policies and Procedures

Number	Effective Date	Page	Total Pages
02-01-106	01-01-07	5	15
Title			
OFFENDER WORK ASSIGNMENT AND PAY SCHEDULES			

Offenders shall be expected to participate in any assignments as instructed by staff. Failure to participate in program assignments may impact the offender's state wages and other assignments and may result in disciplinary action. Certain assignments may be mandatory (e.g., SOMM programming) and the failure of the offender to participate in this programming shall result in a disciplinary action in accordance with the administrative procedures for Policy 02-04-101, "The Disciplinary Code for Department of Correction Offenders."

V. PHILOSOPHY OF OFFENDER ASSIGNMENT:

Any offender assignment is to complement the security and operation of a facility as well as approximate the conditions and expectations that exist in the community for a similar activity. An offender assignment is to provide the competency, skill development, self-discipline and self-confidence for an offender that will assist in the offender's transition to the community.

An offender assignment is a privilege that may be taken away based upon the decision of staff and consistent with disciplinary and classification policies and administrative procedures. Classification decisions are to use the offender's RAP as a blueprint for assignment provided resources are available and the offender is eligible for a specific assignment. Ideally, an offender is to participate in work, facility operations, offender improvement and educational assignment activities at least 6.5 hours per day.

VI. ESTABLISHMENT OF A COMPREHENSIVE OFFENDER ASSIGNMENT PLAN:

It is the responsibility of the Facility Head or designee to develop a Comprehensive Offender Assignment Plan for the facility. The plan is to identify the number of offenders assigned to the facility and provide a breakdown of offenders that will be assigned to each of the following:

- A. Offender self-improvement programs;
- B. Education;
- C. Facility operations; and,
- D. Employment with PEN Products, if applicable.

For purpose of this policy and its administrative procedures, it is expected that each eligible offender will be assigned to perform activities in one or more of these assignment areas for approximately 6.5 hours per day. For the number of eligible offenders who will not be able to perform at least 6.5 hours of activities

POLICY AND ADMINISTRATIVE PROCEDURES

Indiana Department of Correction

Manual of Policies and Procedures

Number	Effective Date	Page	Total Pages
02-01-106	01-01-07	6	15
Title			
OFFENDER WORK ASSIGNMENT AND PAY SCHEDULES			

per day, the Facility Head shall develop a long-range plan of no more than three (3) years to establish an adequate number of activities to meet the 6.5 hours per day requirement of organized activities and the needs of the offender population. The initial plan shall be due to the Deputy Commissioner of Operations for approval, no later than July 1, 2007.

Every July 1 thereafter, a status report shall be provided to the Deputy Commissioner of Operations that indicates the progress made to achieve the plan.

An interim report is to be submitted to the Deputy Commissioner of Operations by February 1, 2007 to determine systemic issues and Department-wide issues that must be addressed by Central Office staff.

VII. CONTENT OF THE COMPREHENSIVE OFFENDER ASSIGNMENT PLAN:

The Comprehensive Offender Assignment Plan shall consist of the following information:

- A. A brief overview of the facility by security classification, number of offenders, rated bed capacity, operational capacity and staff, by departments.
- B The number of offenders assigned to the facility by classification assignment:
 - 1. Admission and Orientation;
 - 2. Administrative Segregation;
 - 3. Disciplinary Segregation;
 - 4. Protective Custody;
 - 5. Education;
 - 6. Facility operations;
 - 7. Offender self-improvement programs; and
 - 8. PEN Products employment
- C. The number of eligible offenders who are not performing 6.5 hours of activities per day;
- D. The plan to ensure that within five (5) years, each eligible offender is assigned to at least 6.5 hours per day of activities; and,
- E. Systemic issues that must be resolved on a departmental basis by the Commissioner or Executive Staff.

The appropriate Regional Director shall review the plan prior to submission to the

POLICY AND ADMINISTRATIVE PROCEDURES

Indiana Department of Correction

Manual of Policies and Procedures

Number	Effective Date	Page	Total Pages
02-01-106	01-01-07	7	15
Title			
OFFENDER WORK ASSIGNMENT AND PAY SCHEDULES			

Deputy Commissioner of Operations. It is the responsibility of the Regional Director to ensure that the plan is completed in accordance with this policy and administrative procedures and that the plan is submitted in a timely manner. The Deputy Commissioner of Operations shall review and approve a completed plan and coordinate a response to identified systemic issues. The unavailability of fiscal resources is not a justification for untimely submission of a plan or for the five-year objective from being achieved.

It is the responsibility of the Regional Directors to ensure continued progress toward the five-year plan once approved by the Deputy Commissioner of Operations.

VIII. RESPONSIBILITY OF THE DIRECTOR/OPERATIONAL SUPPORT SERVICES:

It is the responsibility of the Director/Operational Support Services to:

- A. Maintain an accurate listing by facility of all offender assignments;
- B. Under the guidance of the Deputy Commissioner of Operations, monitor progress made by each facility toward compliance with the Comprehensive Offender Assignment Plan; and,
- C. Provide technical assistance and suggestions to facilities on methods to establish additional offender assignment.

The Director/Operational Support Services shall provide a quarterly report to the Deputy Commissioner of Operations and the Regional Directors concerning compliance to the five-year plan for offender assignment development.

IX. ASSIGNMENT OF OFFENDERS TO OFFENDER ASSIGNMENTS:

Offender assignments shall be made based upon the safety and security of the facility and the public, the needs of the facility and the eligible offender's verifiable skills and experience. Assignments shall be made without regard to race, creed, color, gender, religion, national origin, age or disability. The Facility Head shall ensure that each eligible offender is provided an equal opportunity to request an assignment.

All offender work assignments shall be posted so that all offenders will be aware of the assignment and instructed how they may apply for the assignment. The specific offender work assignment job description shall be used for this posting. When an offender is assigned to a work assignment, the offender shall review the job description for that assignment with the assignment supervisor. The offender

POLICY AND ADMINISTRATIVE PROCEDURES

Indiana Department of Correction

Manual of Policies and Procedures

Number	Effective Date	Page	Total Pages
02-01-106	01-01-07	8	15
Title			
OFFENDER WORK ASSIGNMENT AND PAY SCHEDULES			

shall sign a copy of the job description indicating that he/she understands the requirements of the work assignment. A copy of the job description with the offender's signature shall be filed in the offender's facility packet. The offender shall be given a copy of the job description.

X. SUPERVISION OF OFFENDERS:

Staff shall ensure that all offenders at work assignments are properly supervised. Offenders who are assigned to a work assignment within the secured perimeter of a facility shall be under the direct supervision of staff at all times. Staff shall be required to maintain visual or auditory contact with offenders in these work assignments at all times. Staff may be permitted to observe offenders through glass windows or doors if necessary and shall, at least every 30 minutes, visually observe the offenders in the work assignment.

Offenders who are assigned to an out-custody work assignment shall be supervised by staff. As these offenders present a lower risk, staff may maintain intermittent direct supervision over these offenders. However, staff shall ensure that these offenders are visually checked at least once every two (2) hours or more often if weather conditions or other circumstances require more frequent visual observation of the offenders.

Offenders who are assigned tools at their work assignments shall be supervised as indicated in the administrative procedures for Policy 02-03-107, "Tool Control."

XI. ESTABLISHMENT OF A UNIFORM OFFENDER WAGE SCALE:

Each offender shall be paid in accordance with this policy and administrative procedures. Establishment of an offender wage scale is the joint responsibility of the Deputy Commissioner of Administration, the Deputy Commissioner of Operations and the Chief Financial Officer. The Commissioner is the sole authority to approve any wage scale proposal prior to submission to the Director of the State Budget Agency. Changes to the offender wage scale shall be communicated minimally 60 calendar days prior to the effective date of the change. The offender wage scale is to include the range scale for all assignments managed by the Department, including:

- A. Offender self-improvement programs;
- B. Education programs;
- C. Facility operations; and,
- D. Employment with PEN Products.

The wage scale shall be represented in grades and shall be made an attachment to these administrative procedures. (See ATTACHMENT II) Offenders assigned to

POLICY AND ADMINISTRATIVE PROCEDURES

Indiana Department of Correction

Manual of Policies and Procedures

Number	Effective Date	Page	Total Pages
02-01-106	01-01-07	9	15
Title			
OFFENDER WORK ASSIGNMENT AND PAY SCHEDULES			

a work assignment with PEN Products, not a joint venture, shall be paid a wage in accordance with the PEN Products Offender Employment Operating Standard. The wage scale shall also identify assignments in which “no pay” is authorized and approved. In establishing the wage scale, the facilities shall approximate the following percentages when determining the pay grade for facility assignments: Grade 1 – 5%; Grade 2 – 20%; Grade 3 – 25%; Grade 4 – 50%.

An offender assigned to a joint business partnership managed by PEN Products at a specific facility shall be paid a comparable wage as found in the community for a similar job as established by the Department of Workforce Development, including applicable wages and increases for overtime work. The offender shall be required in accordance with statute to contribute to:

- Room and board;
- Violent Crime Victim’s Compensation Fund;
- Applicable federal, state and local taxes;
- Social Security deductions;
- Child support;
- Court ordered fines and restitution; and,
- Other deductions authorized by statute or a Court.

An offender who does not have a court order to pay support to his/her family shall be encouraged by staff to contribute voluntarily to the support of his/her dependents or family members, consistent with Policy 04-01-104, “Inmate Trust Funds.”

XII. SPECIAL STATE WAGES CONSIDERATIONS:

Offenders assigned to certain types of assignments may or may not be paid state wages depending upon the assignment of the offender. The following indicate various types of assignments that offenders may be given and the pay status of the assignment:

- A. Offenders assigned to Admissions/Orientation status or a Department Intake Unit shall be in Grade 6 status until the offender has been classified and made available for a work assignment.
- B. An offender placed on Administrative Hold status shall retain the same pay status as was in effect prior to this assignment. An offender assigned to employment with PEN Products and placed on Administrative Hold shall be paid at a state pay rate consistent with the PEN Products Offender Employment Operating Standard.

POLICY AND ADMINISTRATIVE PROCEDURES

Indiana Department of Correction

Manual of Policies and Procedures

Number	Effective Date	Page	Total Pages
02-01-106	01-01-07	10	15
Title			
OFFENDER WORK ASSIGNMENT AND PAY SCHEDULES			

- C. An offender classified to an Administrative Idle status, but who is otherwise work assignment eligible, shall be paid in accordance with the attached pay grades.
- D. An offender assigned to Disciplinary Hearing Hold (formerly Conduct Adjustment Board) status shall not receive state pay.
- E. An offender placed in a Hold Pending Investigation status shall receive no state wages.
- F. An offender who has been classified to Idle status shall receive no state wages.
- G. An offender who is on Shop Lay-In status shall receive no state wages while in this status. If the offender is assigned to multiple assignments in which he/she receives a state wage, the offender will be eligible for state wages if the offender reports to the other assignments as instructed.
- H. An offender who goes to sick call rather than to a work or program assignment shall receive no state wages for the period of time the offender is away from the approved assignment. If the offender can return to the assignment, the offender shall be eligible for state wages for the hours actually worked.
- I. When a facility implements any level of lockdown as indicated in the administrative procedures for Policy 02-03-109, "Lockdowns," all state wages shall be suspended, except for offenders who are permitted to continue to participate in a work or program assignment during the lockdown. Following a lockdown, state wages shall commence as an offender is released from lockdown status and returned to a former work or program assignment. An offender shall be paid at the same state pay rate as before the lockdown, if the offender still meets all work or program assignment eligibility criteria.
- J. If an offender is assigned to Administrative Hold, Administrative Segregation or Disciplinary Hearing Hold (CAB) status pending a disciplinary hearing and the offender is subsequently found "not guilty," the case is dismissed, or the case overturned on appeal, the offender shall be reimbursed for lost state wages at either the state wage rate paid to the offender prior to being placed in the "no pay" status, or at the lowest state pay rate for which the offender is eligible if previously assigned to a PEN Products work assignment, in accordance with the PEN Products Offender Employment Operating Standard. These offenders shall be eligible for reimbursement of state wages lost in accordance with the administrative

POLICY AND ADMINISTRATIVE PROCEDURES

Indiana Department of Correction

Manual of Policies and Procedures

Number	Effective Date	Page	Total Pages
02-01-106	01-01-07	11	15
Title			
OFFENDER WORK ASSIGNMENT AND PAY SCHEDULES			

procedures for Policy 02-04-101. The reimbursed wages will be for the period of time from the date when the offender was removed from an assignment for which he/she was receiving state wages until the date that the disciplinary hearing was actually held.

The Disciplinary Hearing Body/Hearing Officer shall advise the Supervisor of Classification in these cases and the offender shall be returned to the previous assignment eligibility status as soon as possible and shall be given priority for a work assignment. (NOTE: Generally, an offender should not be removed from an assignment pending a disciplinary hearing unless the offender presents a clear threat to the safety and security of the facility. Additionally, an offender shall not be determined to be ineligible for a work assignment simply because the offender has been charged with a violation of the Offender Disciplinary Code or is pending investigation unless the offender's presence in the offender population and/or at the work assignment presents a clear threat to the safety and security of the facility. A finding of guilt of a Class A or B violation shall not necessarily make an offender ineligible for a work assignment unless the finding of guilt clearly shows that the offender is a threat to the safety and security of the facility or others.)

- K Offenders who were receiving state wages and who are transferred to a full-time facility transition program, other than the Work Release Program, shall be paid at the Grade 2 rate. If the offender is not transferred to a full-time transition program, but continues to have another work or program assignment, the offender shall continue to receive the normal pay for that work assignment. If the offender was not receiving state pay prior to transfer to the facility transition program, the offender shall be paid at the Grade 2 rate. Offenders who were assigned to a PEN Products operation immediately prior to the transfer to the transition program shall be paid at the Grade 2 rate.
- L. Offenders assigned to special units, such as the therapeutic communities, CLIFF Units and PLUS Units, shall be paid at the Grade 3 rate, unless the offender is assigned to a job assignment that pays at a higher pay grade.

XIII. ACTIVITY SCHEDULE:

Offender activity hours within a facility shall approximate the hours and the conditions that exist for that activity typically found within a community consistent with facility safety and security. When possible, a day shall be structured to provide for at least 6.5 hours of organized activities per day. A combination of assignments is acceptable to promote this schedule. Activity schedules shall be governed by the following basic principles:

POLICY AND ADMINISTRATIVE PROCEDURES

Indiana Department of Correction

Manual of Policies and Procedures

Number	Effective Date	Page	Total Pages
02-01-106	01-01-07	12	15
Title			
OFFENDER WORK ASSIGNMENT AND PAY SCHEDULES			

- A. Second and/or third shifts, rotating schedules and evening activities are acceptable means to increase activities for offenders;
- B. Normal activity schedules shall allow offenders to have two (2) days off for each seven (7) day period;
- C. Shop rosters may designate and have approved, a limited number of assignments, usually those demanding more specific work skills, as six (6) or seven (7) day assignments;
- D. Offenders assigned to a work assignment on a call-out basis on weekends and holidays shall receive wages commensurate with the amount of time worked. Payment shall not be made if an offender is not called out for work;
- E. At the discretion of the Facility Head or designee, offenders who are assigned on a call-out basis may be paid for the time worked, or the offender may have their schedule adjusted similar to the manner in which compensatory time is managed for staff;
- F. Offenders who are required to work beyond the normal working hours (overtime) shall be paid for the amount of time worked. The offender shall be paid at the regular hourly rate for the additional time worked; and,
- G. It is the responsibility of each supervisor to maintain accurate wage logs for the offender, based upon the approved rate and consistent with the total number of hours worked. If an offender is assigned to two (2) or more activities to equal the 6.5 hours per day, each supervisor is to ensure that the appropriate wage rate and number of activity hours form the basis for the wages paid.

XIV. FACILITY HEAD RESPONSIBILITIES:

The Facility Head is ultimately responsible for the management of the facility. The Facility Head may delegate any of the following responsibilities related to offender assignment:

- A. The development of complete rosters for each offender assignment activity;
- B. The development of each offender assignment, including the recommended skill level, education and experience required for the

POLICY AND ADMINISTRATIVE PROCEDURES

Indiana Department of Correction

Manual of Policies and Procedures

Number	Effective Date	Page	Total Pages
02-01-106	01-01-07	13	15
Title			
OFFENDER WORK ASSIGNMENT AND PAY SCHEDULES			

assignment within the facility and a written job description for each assignment;

- C. All proposals to establish or delete an offender assignment;
- D. Development of a systematic method to place offenders in assignments in the facility through the classification system, including posting all offender assignments for viewing by the offender population, the receipt of requests from offenders concerning an interest in a specific assignment, the screening of offenders based upon established eligibility criteria, arranging and conducting interviews for assignments, receipt of Health Care clearance for specific assignments and the receipt and review of all offender performance evaluations (NOTE: Offender requests for assignments to programs or work assignments are to go through the offender's Unit Management Team to ensure that the offender qualifies for the assignment and that the assignment complies with the offender's RAP);
- E. Maintenance of monthly pay records for each assignment, other than employment with PEN Products, based upon the pay grades presented in ATTACHMENT I;
- F. Assignment of appropriate pay to each offender except for those offenders employed by PEN Products;

XV. RECORD-KEEPING:

- A. The forms used to post and record offender assignments shall be in accordance with the administrative procedures for Policy 02-01-110, "Offender Accountability";
- B. Offender assignment descriptions shall contain the following:
 - 1. Skill level designation;
 - 2. Necessity for Health Care clearance;
 - 3. Education requirements;
 - 4. Experience requirements; and,
 - 5. Complete description of the assignment to be accomplished;
- C. Assignment postings shall be placed in common areas available to all non-segregated offenders, as well as provided to all Unit Management Teams and facility counselors. The description may be used for this purpose, or as a vacancy list, provided the brief description is stated in addition to the skill level, age, education requirements, experience requirements, the

POLICY AND ADMINISTRATIVE PROCEDURES

Indiana Department of Correction

Manual of Policies and Procedures

Number	Effective Date	Page	Total Pages
02-01-106	01-01-07	14	15
Title			
OFFENDER WORK ASSIGNMENT AND PAY SCHEDULES			

necessity for Health Care clearance, and if applicable, the normal hours for the assignment per week. The offender may bid on a specific job for which the offender feels qualified, or may be assigned to a specific activity based upon the needs of the facility and the decision of staff;

- D. All procedures and forms specified in the administrative procedures for Policy 01-04-101, "Adult Offender Classification" shall be utilized in the classification of offenders to an assignment and in the evaluation of the offender's performance. Placement in an assignment shall be consistent with the administrative procedures for Policy 01-04-101;
- E. Supervisors shall maintain and certify offender pay records by a Weekly Offender Time Record. These forms shall be submitted to the office of the Supervisor of Classification and/or the facility Business Office in accordance with administrative procedures and the facility's operational procedures.
- F. Daily record keeping concerning the hours in which the offender participated in an assignment may be maintained in a convenient manner. State Form 27369, DUTY ROSTER, or State Form 31357, DAILY IN/OUT RECORD, may be used for this purpose. The supervisor of the assignment area is responsible for the accuracy of this daily record keeping process.
- G. The offender is to be paid for each hourly segment that the offender is participating in the assigned activity. If the offender does not perform at least 30 minutes of the responsibilities pertaining to the assignment, the offender is not to be paid for the hourly segment. (Example: An offender is not present for 20 minutes at a work assignment so the offender works for 40 minutes during the hour. The offender will be paid for the full hour. An offender who works for 20 minutes and then does not work for 40 minutes of the hour shall not be paid for that hour. However, the offender shall be paid for any previous or subsequent hours that are worked.)

XVI. WORK RELEASE CENTERS AND PEN PRODUCTS JOINT VENTURE PROGRAMS:

Offenders classified to a Work Release program or assigned to a PEN Products Joint Venture program shall not be provided state wages. These offenders are expected to obtain and retain employment at a pay rate commensurate with other employees that perform comparable work in the community. In no circumstance shall an offender be paid less than the minimum wage indicated by federal and state guidelines. Offenders participating in a Work Release program or PEN

POLICY AND ADMINISTRATIVE PROCEDURES

Indiana Department of Correction

Manual of Policies and Procedures

Number	Effective Date	Page	Total Pages
02-01-106	01-01-07	15	15
Title			
OFFENDER WORK ASSIGNMENT AND PAY SCHEDULES			

Products Joint Venture are not exempt from participating in housekeeping, food service, facility maintenance or other assignments.

Offenders assigned to a Work Release Center as a “Special Assignment” offender shall be provided state pay wages in accordance with the attached pay grades.

XVII. AUDITS:

Annually, each Facility Head shall conduct an audit of offender assignments within the management control of the Facility Head. This audit shall be conducted in June of each year, and a report of the findings shall be forwarded to the appropriate Regional Director for review and approval. The Regional Director shall advise the Deputy Commissioner of Operations of this report and any concerns or issues in need of consideration. The audit is to determine whether the offender assignments are appropriate or whether new assignments should be established. This determination shall be made after consultation with the Deputy Commissioner of Re-Entry and Programs concerning educational offerings, and the Deputy Commissioner of Administration for PEN Products expansions or modifications.

It is the responsibility of the Deputy Commissioner of Operations to prepare a review and summary of the offender wage scale on a biennial basis. The review and summary shall be prepared by June 30 of each year ending in an even number and shall be submitted to the Commissioner for final determination.

Audits shall be conducted by the Division of Field Audits to ensure that facilities are in compliance with these administrative procedures and that the appropriate record keeping is being maintained.

XVIII. APPLICABILITY:

These administrative procedures are applicable to all Department facilities in which offenders are housed, including adult and juvenile facilities. Intake units shall not be required to pay an offender in those units unless the offender is permanently assigned to the unit and the offender is assigned to complete specific responsibilities associated with a particular offender assignment.

Signature on File

J. David Donahue
Commissioner

11/27/06

Date

ATTACHMENT I

SKILL LEVEL DESIGNATIONS FOR FACILITY ASSIGNMENTS

1. **GRADE 1:**

The offender must have demonstrated knowledge and ability relating to all operations in a particular assignment area. The worker would possess all requisite qualifications that can be based on education and/or experience in a particular job classification. The offender may be a lead worker (not a supervisor of other offender workers) with the ability to analyze and direct procedures, inspect equipment and assure quality control. The offender must possess at least a High School Diploma or G.E.D. and additional training or experience that qualifies him/her to perform all aspects of the work assignment. No more than 5% of offender assignments should fall into Grade 1.

2. **GRADE 2:**

The offender must possess demonstrated knowledge in a particular procedure or operation critical to the functioning of the assigned work site. Operators of complicated machinery or workers in positions that require completion of complicated tasks would be found in this job classification. Also, in this position an offender may be assigned to an unskilled job that is considered by staff to be undesirable. The offender must possess at least a High School Diploma or G.E.D. No more than 20% of offender assignments, excluding offenders in this Grade due to being in a full time Pre-Release Re-Entry program, should fall into Grade 2.

3. **GRADE 3:**

The offender would possess some of the necessary qualification for a particular job classification, but not to the degree of proficiency of the skilled worker. As such this worker would be responsible for operations less complicated than those assigned to a Grade 2 worker. On the job training would be provided to assist the worker in skill development. Preferably, the offender will have a High School Diploma or G.E.D.; however, the offender must have attained an educational level of Grade 8. No more than 25% of offender work assignments, excluding Road Crew assignments, should fall into Grade 3.

4. **GRADE 4:**

The offender would possess minimal qualifications for a particular job. The offender would do menial tasks following simple and brief instructions. Preferably, the offender will be literate and working towards a G.E.D. No more than 50% of offender assignments should fall into Grade 4.

5. **GRADE 5 (Not Working-Paid):**

The offender would not be able to work due to being declared medically unable to hold a work assignment or there are no programs or work assignments available.

Offenders who refuse to participate or are removed from program assignments in accordance with their Re-entry Accountability Plan shall be paid at the Grade 5 rate.

6. GRADE 6 (Not Working-No Pay):

In this position, an offender would not be able to work, generally due to an action on the part of the offender or other offenders. This class would include, but is not limited to, offenders:

- a. In Disciplinary Segregation or on hold from an assignment pending an investigation or conduct hearing;
- b. Who refuse or are fired from a work assignment;
- c. Unable to work due to a lockdown or interruption initiated by offender behavior (at the discretion of the Facility Head);
- d. Awaiting classification or re-classification;
- e. Absent from the facility due to court order, temporary leave, escape or any other administrative reason which physically removes the offender from the jurisdiction of the Department; or,
- f. Whose conduct or past work performance has made them temporarily ineligible for an assignment.

ATTACHMENT II

STANDARD STATE WAGE RATES OF PAY

Offenders shall be paid based on the designated skill level of the work assignment. Each facility shall pay on an hourly basis; however, the rate paid shall not exceed the daily rate for the designated skill level. The following rates of pay do not include assignments to PEN Products, a PEN Product's joint business venture or to a Work Release Program.

	Hourly Rate	Daily Pay*	Monthly**
Facility Assignments:			
Grade 1	\$ 0.25	\$ 1.625	\$ 35.75
Grade 2	\$ 0.20	\$ 1.30	\$ 28.60
Grade 3	\$ 0.15	\$ 0.975	\$ 21.45
Grade 4	\$ 0.12	\$ 0.78	\$ 17.16
Grade 5		\$ 0.50	\$ 11.00
Grade 5-X			\$ 10.00
Grade 6			\$ 0.00

* Based upon 6.5 hours per day.

* Based upon 22 days of work per month.

(NOTE: Offenders assigned to Work Release, except Special Assignment offenders, or to a PEN Products work assignment are not covered in these rates. PEN Products shall establish pay grades for all PEN Products work assignments, except for Joint Venture assignments which shall be paid at the prevailing pay rate for that type of work.)

In those cases where a fraction of a cent is earned, when paying the offender, the facility shall round the fraction down to the nearest whole cent. Example: An offender is in Grade 1 and the offender works three (3) days. At \$ 1.625 per day, the offender would earn \$ 4.875; however, since the wage would result in a fraction of a cent, the offender would be paid \$ 4.87.

The following are examples of the rates of state wages paid to offenders in specific assignments:

1. Students in an educational program authorized by the facility for pay and all juveniles - Grade 5.
2. Dorm detail workers - Grade 4.
3. Offenders declared medically unable to hold employment at either the facility or in an authorized Department medical facility – Grade 5.
4. Offenders held in Administration Segregation and who are not provided a work assignment. Grade 6 (Offenders in Administrative Segregation and who are given

a work/program assignment, such as range tender, shall be paid at the same rate as other offenders in that type of work/program assignment.)

5. Offenders in facilities where no work or school assignment is available - Grade 5;
6. Offenders held in Protective Custody and who are not provided a work assignment. Grade 6 (Offenders in Protective Custody who are given a work/program assignment shall be paid at the same rate as other offenders in that type of work/program assignment.)
7. Offenders assigned to a contractual program in which the contract calls for the offender to receive wages - Grade 4 or if the offender is assigned to a work assignment, the wages shall be commensurate to an equivalent work assignment in a Department facility.
8. Offenders in County Jails that are listed as "COA" offenders (i.e., sentenced offenders awaiting transfer to an intake unit) will receive no wages - Grade 6.
10. Offenders assigned to the "Special Assignment" program at a Work Release Center- Grade 2.
11. Offenders on medical lay-in status who were injured on the job will be paid their normal rate until they have been released to work by the Health Care Services staff. If the offender receives a permanent injury that does not allow the offender to return to the previous work assignment, the offender shall be re-classified to a Grade 5 status until the offender can be assigned to another work or program assignment.

Offenders who are injured at the facility in a non-work assignment related injury shall be reduced to a Grade 5 status until they can return to work. Once they are returned to a work assignment, they shall be paid at that work assignment's pay rate. If these offenders cannot return to a work assignment due to a non-work related injury, they will remain at the Class 5 pay status.

12. Offenders who cannot be given a work or program assignment due to an illness or handicap that prevents them from working and the facility cannot accommodate them in a work assignment shall be paid at the Grade 5 rate. During the offender's annual medical review, Health Care staff shall determine whether the offender's condition has changed to the point that the offender may be given a work or program assignment. If the offender's medical status changes to where the offender may be given an assignment in the facility, the offender shall be retained in Class 5 status until the offender is re-classified to a work or program assignment. The facility shall make an effort to accommodate these offenders and assign them to a work or program assignment whenever possible given the operational needs of the facility.
13. Offenders in the following categories shall be considered in Grade 6 and shall receive no pay:
 - a. Offenders held in Disciplinary Segregation following a finding of guilt.

- b. Offenders who refuse or are fired from a work assignment (These offenders shall remain in this pay status until they are eligible for another work assignment).
 - c. Offenders awaiting classification or re-classification, including offenders in a Department Intake Unit (Offenders shall remain in this pay status until they are classified/re-classified into a work assignment).
 - d. Offenders absent from the facility due to court order, temporary leave, escape, medical visits or hospitalized for tests or treatment or any other administrative reason which physically removes the offender from the jurisdiction of the department.
 - e. Offenders whose conduct or past work performance have made them temporarily ineligible for an assignment.
 - f. Offenders moved from a Disciplinary Segregation unit to an Administrative Segregation unit until they are re-classified for this move and a determination made as to whether they are job eligible, normally this determination should be made within two (2) working days from the date of the move and the offender notified whether he/she is work assignment eligible.
14. Offenders shall not be paid for the time that they are away from the work assignment due to:
- a. Appearance before a Disciplinary Hearing Body in accordance with Policy 02-04-101, "The Disciplinary Code for Adult Offenders," as a charged offender; or,
 - b. Any other offender-initiated absence which keeps the offender from the work assignment.
15. Offenders shall not lose pay due to absences from the work assignment to obtain haircuts (limited to one [1] per month), to appear at annual classification reviews or to participate in authorized treatment programs approved by the Supervisor of Classification, if these activities are not provided to the offender population during hours when the work assignments are not in operation. If these activities are offered during the offender's "non-work" hours, the offender will receive no pay for any time missed at the work assignment.
16. Capital (Death Row) offenders shall be paid at the Grade 5-X rate unless they are given a work assignment or are placed in Protective Custody or Administrative or Disciplinary Segregation in that unit. Offenders on X-Row who are on Protective Custody, Administrative Segregation or who are provided a work assignment shall be paid at the same rate as offenders in similar situations in other units within the facility.
17. Adult offenders who are assigned to a program where they reside in the program area and the assignment is considered a work assignment (e.g., P.L.U.S. or CLIFF program) may be paid on a graduated basis based upon the program participant's

progress through the program and his/her participation in the programming. If these offenders are paid on a graduated basis, the pay range shall be from Grade 4 through Grade 2. Juveniles in these types of programs shall be paid at the Grade 5 level.